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UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA

	TOTAL BISTACT OF CALIFORNIA
UNITED STATES OF AMERICA, Plaintiff,	Case Number <u>CR-05-70848</u> HRL
v. ac - China Chano, Defendant.	ORDER OF DETENTION PENDING TRIAL
In accordance with the Ball Reform Act, 18	8 U.S.C. § 3142(f), a detention hearing was held on, 2004.
Probotic Topicselled by his attorney	Tony Christenson The United States was represented by
	The Officed States was represented by
PART I. PRESUMPTIONS APPLICABLE	·
/ / The defendant is charged with an offendant	use described in 18 U.S.C. § 3142(f)(1) and the defendant has been
or a brion offense described III 19 [1.3]	0 1 4 /(T)(1) W/bile on release were \$1 - + 1 f C
reserved the first than 1140 (3) years	has elapsed since the date of conviction or the release of the person from
i i i i i i i i i i i i i i i i i i i	
This establishes a rebuttable presumption the	nat no condition or combination of conditions will reasonably assure the
of the person and the community.	·
/ / There is probable cause based upon (the	e indictment) (the facts found in Part IV below) to believe that the
defendant has committed an offense	r materials) (the facts found in Part IV below) to believe that the
	imprisonment of 10 years or more is prescribed in 21 U.S.C. § 801 et
seq., § 951 et seq., or § 955a et seq.,	OR
P under 19 II G G G GGA()	
This establishes a rebuttable presumption tha	at no condition or combination of a felony.
appearance of the defendant as required and the safety	of a firearm during the commission of a felony. at no condition or combination of conditions will reasonable assure the by of the community.
/X No presumption applies.	y or the community.
PART II. REBUTTAL OF PRESUMPTIONS, IF APPLICA	NOV O o o
/ / The defendant has not come forward with	h any evidence to rebut the small cold
will be ordered detained.	h any evidence to rebut the applicable presumption[s], and he therefore
·	idence to rebut the applicable
	reduce to reout the applicable presumption[s] to wit:
Thus, the burden of proof shifts back to the Un	nited States
PART III. PROOF (WHERE PRESUMPTIONS REBUTTED	D OR INAPPLICABLE)
The United States has proved to a prepond	derance of the evidence that no condition or nearly and a second
and reasonably assure the appearance of the defendant	t as required 'AND/OR
/ The United States has proved by clear and	convincing evidence that no condition or combination as a second
any other person an	nd the community
PART IV. WRITTEN FINDINGS OF FACT AND STATEME	ENT OF REASONS FOR DETENTION
The Court has taken into account the factor	ors set out in 18 U.S.C. \$ 2142(a) and all actions of the second of the
at hearing and finds as follows: The de landa.	Y is Charged with Ynolotypins of 8450 \$ 1324(4)(1)(
(V) and (A) (iii) remaring to us	melal, harbos and sheld Undocuored of allans
to commercial advantage in	This lase problety time. He has in INS
hold lodged against him Ti	US suged his bank accounts.
	a suged his work accounts.
// Defendant, his attorney, and the AUSA have	re waived written findings
PART V. DIRECTIONS REGARDING DETENTION	o warred written midnigs.
	Attorney General or his designated representative for confinement in a
rections facility separate to the extent practicable from p	persons awaiting or serving sentences or being held in custody pending
peal. The defendant shall be afforded a reasonable oppor	rtunity for private consultation with defense counsel. On order of a court
the United States or on the request of an attorney for the	Government, the person in charge of the corrections facility shall deliver
defendant to the United States Marshal for the purpose of	of an appearance in connection with a court -
,	are appearance in connection with a court proceeding.
ted: 11/1/05	Sopring 1. De al
SA <u>CATTY</u> <u> </u>	PATPICIA V TRIBARITI
	PATRICIA V. TRUMBULL

United States Magistrate Judge